



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/478,112	01/04/2000	REED PADI MAW STURTEVANT	11040/002001	1247

23639 7590 11/18/2002

BINGHAM, MCCUTCHEN LLP
THREE EMBARCADERO, SUITE 1800
SAN FRANCISCO, CA 94111-4067

EXAMINER

WANG, MARY DA ZHI

ART UNIT	PAPER NUMBER
3621	

DATE MAILED: 11/18/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	09/478,112	STURTEVANT ET AL.
Examiner	Art Unit	
Mary Wang	3621	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on 26 August 2002.

2a) This action is FINAL. 2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) 1-21 and 23-27 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) Claim(s) _____ is/are allowed.

6) Claim(s) 1-21 and 23-27 is/are rejected.

7) Claim(s) _____ is/are objected to.

8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on 04 January 2000 is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) The proposed drawing correction filed on _____ is: a) approved b) disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.

12) The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) All b) Some * c) None of:
1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. _____.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.

14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) The translation of the foreign language provisional application has been received.

15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) <input type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ .
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .	6) <input type="checkbox"/> Other: _____ .

DETAILED ACTION

Status of Claims

1. Claims 1-21 and 23-27 are pending. Claims 1-3 and 10-21 have been amended.

Claim 22 has been deleted.

Response to Arguments

2. Applicant's arguments with respect to claims 1-21 and 23-27 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

5. Claims 1-5, 10-12, 16-18, 21, 25 and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lewis, U. S. Patent 6,233,576 in view of Janis, EP 0 447 339 A2.

As to claim 1, Lewis teaches a method comprising:

- a) Making at least one digital facility available from a source to users via an electronic communication medium (Figs. 1-2),
- b) Associating with at least one of users an access permission that enables the user to access at least one of the digital facilities (column 10 lines 37-39, 55 – column 11 line 20 and column 12 lines 5-10, 64 – column 13 line 15 and column 14 lines 38-45 and column 15 lines 36-67 and Fig. 2),
- c) Associating with at least one of the users a grant permission that enables the user to give to another user a permission with respect to at least one of the digital facilities (column 10 lines 37-39, 55 – column 11 line 20 and column 12 lines 5-10, 64 – column 13 line 15 and column 14 lines 38-45 and column 15 lines 36-67 and Fig. 2),
- d) The permission information of users is tested for verifying access rights of the users (column 13 lines 13-15 and column 16 lines 1-63).

Lewis does not specifically teach creating a user profile for each of the users, and the permission information with respect the corresponding user is included in said user's profile. However, Janis teaches each user's profile includes said user's permission information (column 6 line 41 – column 7 line 17 and Figs. 4-5). It would have been obvious to one of ordinary skill in the art at the time of the invention to allow

Lewis to create a user profile, and the user's permission information in Lewis' teaching to be included in said user's profile for better organizing each user's permission information.

As to claim 2, Lewis teaches the user permission that is granted to another user comprises a perform permission (column 7 lines 36-67).

As to claim 3, Lewis teaches the user permission that is granted to another user comprises a grant permission (column 10 lines 37-39, 55 – column 11 line 20 and column 12 lines 5-10, 64 – column 13 line 15 and column 14 lines 38-45 and column 15 lines 36-67 and Fig. 2).

As to claim 4, Lewis teaches the digital facility comprises data (Figs. 1-2).

As to claim 5, Lewis teaches the digital facility comprises a service (Figs. 1-2).

As to claim 10, Lewis teaches the user can give another user both perform permission and grant permission (column 7 lines 36-67 and column 10 lines 37-39, 55 – column 11 line 20 and column 12 lines 5-10, 64 – column 13 line 15 and column 14 lines 38-45 and column 15 lines 36-67 and Fig. 2).

As to claim 11, Lewis teaches the digital facility comprises an application program, and the application defines permissions grantable to users (column 12 line 64 – column 13 line 15).

As to claim 12, Lewis modified by Janis teaches individual granting permission to another individual as discussed above. Lewis modified by Janis does not specifically teach the users comprises companies and individuals who are associated with respective companies, and the user permission is characterized, including in the case of

Art Unit: 3621

a company permission that applies to individuals associated with the company. It would have been obvious to one of ordinary skill in the art to allow the system of Lewis modified by Janis to be used for company granting permissions for individual users so that this secured system would be expanded its usage environment.

As to claim 27, Lewis teaches a method comprising:

- a) Making at least one digital facility available from a source to user via an electronic communication medium (Figs. 1-2);
- b) Maintaining a database of profiles that define permissions of users to access the digital facility (column 10 lines 37-39, 55 – column 11 line 20 and column 12 lines 5-10, 64 – column 13 line 15 and column 14 lines 38-45 and column 15 lines 36-67 and Fig. 2);
- c) Authorizing at least one user to create profile for other users (column 10 lines 37-39, 55 – column 11 line 20 and column 12 lines 5-10, 64 – column 13 line 15 and column 14 lines 38-45 and column 15 lines 36-67 and Fig. 2)
- d) Automatically marking a user who creates a profile for another user (column 5 lines 33-45 and column 10 lines 37-39, 55 – column 11 line 20 and column 12 lines 5-10, 64 – column 13 line 15 and column 14 lines 38-45 and column 15 lines 36-67 and Fig. 2).

Lewis does not specifically state that this method can be used for managing company profiles. It would have been obvious to one of ordinary skill in the art to allow the system of Lewis to be used for managing company profiles so that this secured system would be expanded its usage environment.

Claims 16-18 and 21 are rejected for the similar reason as claim 1.

Claim 25 is rejected for the similar reason as claim 12.

6. Claims 6-9, 19-20 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lewis, U. S. Patent 6,233,576 in view of Janis, EP 0 447 339 A2 in further view of Schneider et al., U. S. Patent 6,178,505.

As to claims 6-7 and 9, Lewis modified by Janis teaches granting permission to users as discussed above. Lewis modified by Janis does not specifically state that the source comprises a web server, the user comprises individuals using web browsers, and the electronic communication medium comprises the Internet. However, these well known features are specifically taught by Schneider (column 4 lines 58-67 and Fig. 2). It would have been obvious to one of ordinary skill in the art at the time the invention was made to include the web server, web browsers and Internet as taught by Schneider in the system of Lewis modified by Janis for faster communication among the users.

As to claim 8, Lewis modified by Janis does not specifically teach the users are employees of companies. However, Schneider teaches this matter (column 4 lines 58-62). It would have been obvious to one of ordinary skill in the art at the time the invention was made to allow the method of Lewis modified by Janis to be used for employees of companies as taught by Schneider so that this secured system would be expanded its usage environment.

Claims 19-20 and 23 are rejected for the similar reasons as combining claims 1 and 6-9.

7. Claims 13-15, 24 and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lewis, U. S. Patent 6,233,576 in view of Janis, EP 0 447 339 A2 in further view of Abadi et al., U. S. Patent 5,173,939.

As to claims 13-14 and 26, Lewis modified by Janis teaches granting permission to users as discussed above. Lewis modified by Janis does not specifically teach the user permission comprises an aggregate of permissions, the aggregate permission includes fundamental permissions that have arguments of a common type. Abadi teaches this matter (Figs. 2-5). It would have been obvious to one of ordinary skill in the art at the time the invention was made to include the aggregate permission and the fundamental permission in the system of Lewis modified by Janis for better granting permissions.

As to claim 15, the method of Lewis modified by Janis further modified by Abadi does not specifically teach the other's user's permission with respect to the digital facility is determined by a combination of individual permissions and company permission. It would have been obvious to one of ordinary skill in the art to include the feature of obtaining a permission by combining two different permissions or authentications in the method of Lewis modified by Janis further modified by Abadi for better granting permissions to users.

As to claim 24, Lewis modified by Janis does not specifically teach the permissions comprise cascading permissions. However, Abadi teaches this matter (column 6 line 50 – column 7 line 35). It would have been obvious to one of ordinary

Art Unit: 3621

skill in the art at the time the invention was made to include the cascading permissions in the system of Lewis modified by Janis for better granting permissions.

Conclusion

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Art Unit: 3621

Inquire

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mary Wang whose telephone number is (703)-305-0084. The examiner can normally be reached on Monday – Thursday from 8:00 AM to 5:30 PM. The examiner can also be reached on alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Trammell, can be reached on (703) 305-9768.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1113.

The fax phone number for the organization where this application or proceedings is assigned are as follows:

(703) 305-7687 (Official Communications; including After Final

Communications labeled "BOX AF")

(703) 746-5619 (Draft Communications)

Hand delivered responses should be brought to Crystal Park 5, 2451 Crystal Drive, 7th Floor Receptionist.

Mary Wang
Patent Examiner
Art Unit 3621
November 13, 2002

JAMES P. TRAMMELL
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600